

Coastal Commission: Lay Down the Law at the Oceano Dunes



Whoopsie In June, the California Coastal Commission had to tell State Parks repeatedly to cease and desist in the mechanized grading of beach around snowy plover nesting areas and its deliberate destruction of nests and harassment of plovers to keep them from expanding their habitat.

We have all been waiting a very long time to see action taken to safeguard coastal resources at the Oceano Dunes.

“Coastal resources” is the language the California Coastal Act uses to describe beaches, coastal streams and wetlands, dunes, environmentally sensitive habitat areas and their inhabitants.

We did not see that happen one year ago, when the California Coastal Commission could have lowered the boom at the ODSVRA but didn’t. That was a mistake, as we should all know by now. Last month, State Parks got caught deliberately harassing snowy plovers, bulldozing near their habitat, and destroying new nests to keep them from expanding their range beyond the confined spaces to which they have been assigned.

It was all illegal, and the Coastal Commission had to tell Parks officials to stop. Parks ignored them. The Commission told them again. And then again.

By now, this should be a familiar pattern to anyone who’s been paying attention for the last twenty or thirty years.

At the Oceano Dunes, the Coastal Commission has shown a degree of tolerance, deference and forbearance to State Parks not shown to any other violator of coastal law, let alone a chronic repeat offender who has been out of compliance since the 80s and, between then and now, has only displayed an increasingly sophisticated expertise in bobbing, weaving, and ducking away.

On July 9, Parks is supposed to present the Coastal Commission with the latest “update” of its woeful Public Works Plan for the future management of the dunes. It caps a year that began at its July 2019 meeting, when the Commission could have and should have imposed a set of 15 amendments to the Coastal Development Permit for the ODSVRA that would have solved a host of short-term problems.

Rather than do that, the Commission gave Parks one more chance to fix the problems on their own. The following twelve months were marked by Parks' unveiling of a Habitat Conservation Plan for the dunes that conserves off-road recreation but not habitat, and multiple episodes at Coastal Commission meetings where State Parks' deployed its standard m.o. of vague reports, corporat-ese regurgitation of its public outreach efforts, not quite answering questions, and blank incomprehension. The year was capped with the aforementioned attempt to steamroll the plovers and sudden deafness when told to stop.

Sit with that for a moment. The California Department of Parks and Recreation, like the Coastal Commission, is under the purview of the California Natural Resources Agency. It's website boasts that "state park system lands protect and preserve an unparalleled collection of culturally and environmentally sensitive structures and habitats, threatened plant and animal species, ancient Native American sites, historic structures and artifacts... the best of California's natural and cultural history."

The department took those outrageous actions against the plover, a species entrusted to their stewardship and under the protection of the Endangered Species Act, for one simple reason: It wanted to beat back the plovers into the roped off areas set aside for them in order to keep the larger beach area free for off-road vehicles whenever it is deemed safe to reopen the park.

For years, ODSVRA managers and biologists have been boasting about what a great job they've been doing in helping this threatened species flourish, as the law requires. Then along came a pandemic and a shutdown of vehicular activity, and, for the first time in decades, seizing the first chance they got, the plovers started doing it for themselves. And got beaten back by those very same park managers and biologists.

It is a head-snapping level of environmental hypocrisy. But the Coastal Commission should keep its head, recognize that State Parks has crossed a bridge too far, and finally do the right thing and lay down a marker: Parks has to include a plan and a timeline to get the cars off the dunes in its Public Works Plan. If enough people urge the Commission to do so, they just might.

Right now, go to <https://www.coastal.ca.gov/meetings/agenda/#/2020/6> for instructions on how to join the Coastal Commission's virtual July 9 meeting. You can submit a request to speak up until 8:30 am that day, but you are strongly encouraged to put in your request ASAP, and no later than 5 p.m. on July 8.

Via phone:

Call (415) 904-5202. To speak on an agenda item by phone, be prepared to tell staff your name, which agenda item you wish to speak on (9a), and provide a telephone number where Commission staff can reach you.

Via Zoom (no need to download):

Send an email request to: speakerrequest@coastal.ca.gov. In the body of the email, provide:

§ Your name

§ Your email address

§ Who you represent (i.e., self, another person, an organization)

§ The number and name of the agenda item you wish to speak on (“9a, Oceano Dunes Public Works Plan update”)

§ Whether you are speaking for or against the proposed item

Commission staff will send a return email to you with a link to join the Zoom meeting.